

### **REMARKS**

The Office Action mailed March 27, 2006, has been received and the Examiner's comments reviewed. Claim 25 has been amended to recite "the pH of the dissolved solid composition in an aqueous solution is less than about 9" as supported at least at page 14, lines 1-2. Claim 50 has also been amended editorially. No new matter has been added. Claims 25-28, 30-32, 34-48 and 50 are currently pending.

For the reasons given below, Applicants submit that the pending claims are in condition for allowance and notification to that effect is earnestly solicited.

#### **Claim rejections - 35 U.S.C. § 103**

##### **Addison et al.**

Claims 25-28, 30, 31 and 33-49 are rejected under 35 U.S.C. § 103(a) as obvious over *Addison et al.* (US 5,801,137). Applicants respectfully traverse this rejection.

Independent claim 25 is directed to a solid detergent composition. The solid detergent composition of independent claim 25 includes a neutralized anionic surfactant, an alkyl polyglycoside surfactant, an alcohol alkoxylate, and a hardening amount of polyethylene glycol. Independent claim 25 also recites the pH of the dissolved solid composition in an aqueous solution is less than about 9.

*Addison et al.* disclose a detergent composition having a pH of 9.8 to 11.5, preferably from 9.9 to 11.2, and most preferably from 10.0 to 11.0. Col. 19, ll. 27-30. Therefore, *Addison et al.* fails to teach or suggest the pH of the dissolved solid composition in an aqueous solution is less than about 9 as recited by independent claim 25.

Accordingly, based on the foregoing differences, Applicants respectfully submit that *Addison et al.* neither teach nor suggest the presently claimed invention and withdrawal of this rejection is respectfully requested.

##### **Addison et al. in view of Rolando et al.**

Claim 32 is rejected under 35 U.S.C. § 103(a) as obvious over *Addison et al.* in view of *Rolando et al.* (5,876,514). Applicants respectfully traverse this rejection.

Claim 32 depends from independent claim 25. For at least the reasons discussed above for independent claim 25, *Addison et al.* fail to teach or suggest the pH of the dissolved solid composition in an aqueous solution is less than about 9.

Moreover, *Rolando et al.* fail to remedy the shortcomings of *Addison et al.*, alone or in combination with *Addison et al.* *Rolando et al.* disclose an alkaline warewashing detergent composition having a pH of at least 10.0, generally to a range of from about 10.0 to 14, preferably from about 10.5 to 13, and most preferably from about 11.0 to 12.5. Col. 7, ll. 40-44. Therefore, *Rolando et al.* does not remedy the shortcomings of *Addison et al.*

Accordingly, based on the foregoing differences, Applicants respectfully submit that neither *Addison et al.* nor *Rolando et al.*, alone or in combination, teach or suggest the presently claimed invention and withdrawal of this rejection is respectfully requested.

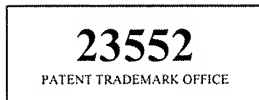
**Double Patenting Rejection – US 6,387,870**

The Office Action rejects claims 25-48 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-22 of U.S. Patent No. 6,387,870 (the '870 patent).

Without acquiescing to the Examiner's rejections, Applicants have submitted herewith a terminal disclaimer. For the foregoing reasons, withdrawal of this rejection is requested.

**Conclusion**

In summary, Applicant submits that each of claims 25-28, 30-32, 34-48 and 50 is in condition for allowance, and notification to that effect is earnestly solicited. The Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below, if the Examiner believes that doing so will expedite prosecution of this patent.

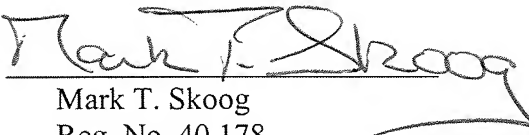


Dated: June 27, 2006

MTS:SMM

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

By   
Mark T. Skoog  
Reg. No. 40,178